

## 2A APPLICATION

Application, to perform any construction or non-routine maintenance work within State Highway Right-of-Way (R/W), must be made at the appropriate office in the District where the site is located. For commercial driveways, application is made to the District Access Management Supervisor at the District Office. The District Access Management Supervisor is the central point of contact. Application for residential driveways and temporary use driveways are made at the District Area Office. See Appendix A for a list of the District Offices and contact information.

### 2A-1 APPLICANT QUALIFICATIONS

Application for a permit under these regulations will be accepted only from the property owner, leasor or an official representing the company, organization or group which owns or leases the property abutting the R/W and upon which the driveway or other permit work will be constructed. In the event the applicant leases the property to be served by the driveway, the lease should be for a period of at least three (3) years; otherwise the permit must be issued to the property owner. In any case, written acknowledgement of the permit work must be obtained from the owner or his agent.

In cases where a site with multiple owners is being developed by a single entity under a development agreement, the developer may apply for the permit. A copy of the development agreement between the developer and all affected property owners must be included with the application. The agreement must give responsibility for developing all affected driveways to the entity that is making application.

When application is made by an agent of the owner or if the owner is a partnership or corporation, written authorization allowing the agent to act on behalf of the owner must be provided by the applicant.

### 2A-2 APPLICATION FORMS

Application for the various permits must be made on the appropriate form:

- DOT 7410 - SPECIAL ENCHROACHMENTS,
- DOT 7410 A –SPECIAL ENCROACHMENT FOR LIMITED LANDSCAPING
- DOT 7412 - DRIVEWAY PERMIT,
- DOT 7414 - TEMPORARY CONDITION.
- DOT 8413A - UTILITY ENCROACHMENTS

Only original forms may be used. Residential driveway applications can be obtained from the appropriate Area Office. All other permit forms will be provided to the applicant after plans are submitted to the Access Management Supervisor. Permit forms consist of multiple copies; each of which must be signed in ink by the applicant and the witness.

Special encroachments are generally improvements required to accommodate a development that must be made within the right-of-way. An example would be additional lanes added to an existing intersection.

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Temporary Condition Permits are typically driveways constructed to perform logging operations or other short duration activity such as construction entrances.

The applicant is asked to complete the “Permit Application Information Sheet” and submit the form along with the first submittal of the plans for review. A copy of the Information Sheet is contained in Appendix B.

Utility Encroachments Permits are generally required of utility companies to install, relocate, or adjust utilities within the right of way. The applicant is required to coordinate with the utilities affected by the driveway work for proper submittal of the appropriate Utility Encroachment Permits. The first submittal of the plans must show the existing and proposed utility facilities. Any review letters stating “no conflict”, “no facilities”, “existing easement”, etc. must be submitted on utility company letterhead.

**2A-3 PRELIMINARY SITE PLAN REVIEW**

For large developments, the applicant’s engineer is encouraged to meet with the District Access Management Supervisor early in the plan development process. A preliminary site plan is helpful to facilitate the exchange of information so the Access Management Supervisor can see the intent of the applicant. The preliminary site plan will also be useful in discussing the relevant requirements of these regulations.

**2B PERFORMANCE BONDS**

Each applicant will provide a performance bond or letter of escrow to assure that the authorized work is accomplished in accordance with the approved permit. In cases of noncompliance, the bond will be used to offset the cost of correcting or removing uncompleted or unauthorized work, and to offset the cost of any damages incurred by the Department or other parties as a result of the work or activities of the applicant in relation to this permit.

The amount of the bond or letter of escrow is based on the estimated construction costs as determined by the Department. A bond may be underwritten by a company housed outside of Georgia if a Georgia resident agent of said Surety Company countersigns. All letters of escrow must be from a bank housed in Georgia.

Blanket performance bonds are acceptable. The blanket bond must contain the name of the owner or entity that is making application for permit. If the site is being developed on behalf of more than one owner under a development agreement, the surety must be in the name of the developer making application.

A letter of credit from a bank housed in Georgia may be used for surety. It must be without expiration or be written so as to automatically renew annually and the bank must agree to notify the Department by registered letter at least 60 days prior to its expiration date if it does not intend to renew the letter of credit.

## 2C PLAN REQUIREMENTS

The applicant must submit appropriate plans with the permit application. Plans must conform to the minimum guidance described herein. In addition, the applicant's engineer shall also use his judgment to prepare plans that conform to accepted guidance including but not limited to the most current edition of *A Policy on Geometric Design of Highways and Streets* published by the American Association of State Highway and Transportation Officials (AASHTO Green Book).

When submitting plans for review, the applicant must provide five (5) sets. The Department prefers plans with 24" x 36" sheet size or smaller.

### 2C-1 PLAN CHECKLIST

The following checklist contains information that should be shown on the plans:

1. An overall site plan and location sketch map.
2. The scale of the drawing should be 1"=20' or larger. If a smaller scale is used for "overall plans", then enlarged details of the work on the R/W must be furnished on a 1"=20' or larger scale.
3. All existing features should be shown with screened line weights or dashed lines and all proposed features shown with solid lines. The designer may also screen existing features for clarity. This should be clearly shown on the plan legend.
4. Location of all property lines and the names of the property owners on either side of the property being developed.
5. The distance from the centerline of the highway or road to the R/W line at each corner of the property. (A general statement such as "Right-of-Way Varies" is not acceptable.)
6. State Route Numbers and U.S. Route Numbers (if applicable) and names of all highways and roads that appear on the plans. Designations such as "County Road," "Cross Road" or "City Street" are not specific and should not be used.
7. Existing and proposed contour lines or elevations sufficient to show the natural and proposed drainage features within the property to be developed. This should include the entire adjacent highway R/W and any elevations needed to show how water flows once it leaves the property.
8. Distance from one corner of the property, along the R/W line, to the centerline of the nearest named intersecting street, road or highway.
9. A north arrow.

10. The DOT milepost, estimated to the nearest tenth of a mile, at the center of the property being developed. When using mileposts along an interstate route, use the cumulative milepost instead of the county milepost.
11. The posted speed limit.
12. All existing roadway signs within the frontage being developed.
13. The width of existing roadway pavements, lane widths, lane lines and direction of travel (using directional arrows) within the lanes.
14. The total length of frontage of the property owned and, if different, the length of the frontage being developed under the permit.
15. Location, size and type of any trees, shrubs, bushes or other vegetation that exist on State R/W.
16. A title block showing the name of the property owner (and the permit applicant, if different from the property owner), the Land Lot Number, Section Number, Georgia Militia District where applicable, District Number and the county in which the project is located. The name of the engineer or individual who prepared the plans should also be included.
17. The distance from the edge of pavement to the center of the side ditch and the direction of the flow of water within the ditch.
18. The location and size of any existing and proposed side drain or cross drain culverts, catch basins, detention ponds, pipes, etc. and direction of flow within the structure(s).
19. Location of existing and proposed buildings, pumps, signs, grease racks, wash racks, underground storage tanks, etc.
20. The distances between buildings, pumps, signs or any foundations on the property and the R/W line(s).
21. The proposed driveway width, measured either from face of curb to face of curb (GA STD) or from edge of pavement to edge of pavement (GA STD). This measurement shall be perpendicular to the centerline of the driveway at its narrowest point.
22. The proposed acceleration/deceleration lane(s), including length of lane, length of taper, width of lane (measured from edge of existing travel lane to edge of pavement or to face of curb).
23. The intersecting angle of the proposed driveway to the highway centerline.
24. The distance from the centerline of the driveway to each property line, measured along the R/W line.

25. The distance between driveways, if more than one driveway is proposed or existing, on both sides of the State Route. The distance to the nearest driveway on the adjacent property in each direction, and the opposite side of the road, measured along the R/W line.
26. Driveways and any new shoulder work on a tangent section should slope downward and away from the edge of pavement for a distance of at least 12' at a slope rate of 2.08% (1/4" per foot), generally, including any accel/decel lane. If located in a superelevated section, all construction should match the superelevation for at least 12'.
27. The radii of all curves on the proposed driveways measured to the edge of pavement or face of curb.
28. Sight distances from each proposed driveway.
29. The difference in elevation between the roadway and the driveway at the R/W line. The slope should not be greater than +/- 6.25%, if practical. There are situations that require greater slopes; these should be examined carefully before approving their use.
30. Wheelchair ramps, designed in compliance with ADA and in accordance with current Georgia DOT Standards, shall be included at all driveways and streets where sidewalk is proposed.
31. Shoulder cross slopes (behind curb and gutter) shall not exceed 2.08%.
32. Locations of all utility easements, existing above and below ground utilities, and the proposed relocations for above and below ground utilities.
33. Suitable photographs of the site showing all existing features may be required for proper review of the application.
34. Erosion Control Plan.
35. Roadway Typical Section.

## 2D TRAFFIC IMPACT STUDIES

The applicant is encouraged to conduct traffic studies as needed in order to identify geometric facilities that will be needed to satisfy the access/egress requirements of the site. The Department will require a traffic impact study for any site estimated to generate more than 2,000 daily trips using ITE Trip Generation Rates. The Department may require impact studies in other cases as deemed necessary.

All traffic impact studies shall be conducted under the supervision of a Professional Engineer licensed in Georgia and all such reports shall be stamped and signed by the engineer. All traffic impact studies shall contain a **Certification** page, as shown in Appendix C. The certification should appear immediately behind the report cover.

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The engineer must certify whether the proposed development, as shown in a preliminary site plan to be included with the impact study, conforms to the spacing and geometric design criteria as specified herein. If the proposed development does not comply, the traffic engineer should indicate the reasons for nonconformity and the Department may consider allowing the noted exceptions.

### 2E PERMIT PROCEDURES

The plan review and application process is initiated when the applicant or their engineer submits plans for review. For commercial driveways and special encroachments, the plans are submitted to the Access Management Supervisor in the District Office. For residential driveways, temporary condition driveways, and utilities driveways the plans are submitted to the Area Engineer in the appropriate Area Office. The Department does not currently charge an application fee for driveway permits.

When traffic impact studies are required, they should be performed early in the process. In urban areas, the traffic study should be first submitted to the appropriate local authority for review. The traffic study should then be submitted to the District Traffic Engineer, reflecting any modifications required by the local government. The District Traffic Engineer will provide written comments both to the traffic engineer who submitted the report and to the Access Management Supervisor.

When the Access Management Supervisor has completed their review of the plans and any revisions have been made to their satisfaction, the applicant will be notified. The notification will contain a List of Instructions which will inform the applicant of any documents that may be required, such as amount of bonds, Power of Attorney, Right-of-Way deeds, Hold Harmless Agreement, etc. Examples of these documents are provided in Appendix D.

The applicant, or their engineer, must supply these documents to the Access Management Supervisor who will provide the applicant with a Document Receipt. The notification letter and the document receipt must then be taken to the Area Engineer who will issue the permit. It is common for the contractor to take the document receipt to the Area Engineer to receive the permit.

The contractor is required to notify the Permit Inspector when the work will begin and when the work is complete. The work must be completed to the satisfaction of the Inspector before the project can be accepted and the bond is released. The project must be constructed according to the approved permitted plans. If during the construction of the work, questions arise or unforeseen conditions are encountered, the contractor shall contact the Permit Inspector for consultation. The Permit Inspector will require “as-built” drawings if significant modifications are approved in the field. The Permit Inspector shall not change design without first consulting the District for review and approval.

## **2E-1 DEPARTMENT APPROVAL**

Department personnel will accomplish the processing of permits in an expeditious manner. The District Access Management Supervisor will be the primary point of contact for permits. The goal of the Department is to provide a decision on the permit within 20 working days after receiving all required information. The District Utilities Engineer will review all utility facilities shown on the plans and Utility Encroachment Permits or “no conflict”, “no facilities”, “existing easement” letters and approve or disapprove within 5 working days after receiving an acceptable submission from the District Access Management Supervisor. The Office of the State Traffic Safety and Design Administrator will be available for advice and guidance, if needed, and will assist in the review of a permit application, usually within 10 working days of a request.

If the permit site is adjacent to a two-lane road or a multi-lane or divided highway, the District Engineer may approve or disapprove the permit. In the event that the commercial driveway permit does not meet the spacing criteria in Chapter 3, the District Engineer, may consult with the State Traffic Safety and Design Engineer prior to approving the permit. The Director of Operations or their designee shall approve all requests to construct new median crossovers or to relocate existing crossovers. If the permit site is adjacent to a limited access highway, or involves a Limited Access fence, the DOT Commissioner shall approve or disapprove the permit. All permit requests on highways that are within an active GDOT improvement project or a project that is in the plan development process, shall be reviewed by the appropriate design office before the permit is approved.

When the applicant or his engineer has submitted plans that do not comply with the spacing and other geometric design guidance of these regulations, the Department may consider granting an exception. The official who has approval authority as stated in the previous paragraph also has the authority to allow an exception if in his opinion the exception is in the best interest of the general use of the highway facility.

In the case of projects not on the State Highway System or not located on State owned rights-of-way, but for various reasons the Department is monitoring the project through preconstruction and acceptance, the Department will review the driveway request and make known to the local government under what conditions the plan would be acceptable to the Department. On all construction projects, which are monitored by DOT, on R/W owned by a local government, the Department shall approve or deny any access request with a letter to the local government.

## **2E-2 TRAFFIC SIGNAL PERMITS**

Traffic signal operation may be needed to safely and efficiently accommodate the access requirements for some developments. Since the type of traffic control affects the pavement marking design and sometimes the geometric design of an intersection, it is necessary to coordinate driveway permits with signal permits. This section will briefly describe the process to be followed when traffic signal operation is desired at the intersection of a proposed driveway with a State Highway.



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In those cases where the traffic impact study indicates that traffic signal operation may be beneficial, the study should include a traffic signal warrant analysis and a proposed traffic signal design. If the District Traffic Engineer concurs that traffic signal operation is needed, the study should be submitted to the Office of the State Traffic Safety and Design Administrator. An overall site plan of the area to be served by the proposed signal should also be included in the submittal. A traffic signal permit application, signed by the local government, must be submitted along with the study indicating the local government's concurrence with the recommendation for the signal and their agreement to bear the costs of the electrical energy and telephone service used to operate the signal.

When the District Traffic Engineer sends a traffic signal study and permit application, for a proposed driveway, to the Office of the State Traffic Safety and Design Administrator for consideration, the District Traffic Engineer will notify the Access Management Supervisor.

The Department strives to be as responsive as possible when processing permits and allows many driveway applications to be approved at the District level. However, all traffic signal permits are reviewed by the Office of the State Traffic Safety and Design Administrator and ultimately approved by the Chief Engineer. For this reason, a driveway permit having pavement marking and geometric features requiring signalized operation should not be issued until the traffic signal permit has been approved.

## **2F CONDITIONS PLACED ON PERMITS**

The conditions enumerated in this section will be placed on the applicant as part of the application. These conditions to the permit continue to be in effect unless changes are made or authorized by the Department.

Violation of the conditions specified in a permit and in these regulations shall be ground for revocation of the permit. If necessary, the Department has the authority to remove a driveway constructed in violation of the permit and to restore the right of way. The cost of this work will be collected from the applicant or by using the performance bond, escrow, or letter of credit.



**2F-1 GENERAL RESTRICTIONS**

1. No driveway approach or other improvement constructed on DOT R/W, as an exercise of the permit shall be relocated or have its dimensions altered without the written permission of either the engineer who approved the permit or a higher authority. A letter from the engineer approving the change must be sent to the applicant and all who received a copy of the original permit.
2. Parking is prohibited on DOT R/W except in downtown areas where parallel or angle parking is provided by the city, or in those instances where a Temporary Conditional Special Encroachment Permit is approved for parking on the R/W. When approved by the Department, excess R/W may be leased for parking at the current property value rate.
3. Driveways should not be provided within the R/W for purposes of parking loading, servicing, etc.
4. Geometric and safety requirements shall be maintained as stipulated in the permit and shall not be altered by the applicant.
5. The applicant must take possession of an approved permit within 60 days of approval. If not, the permit will be canceled.
6. Work under the permit shall begin within 90 days after approval. Failure to begin work will be cause for the permit to be canceled.
7. Construction work authorized by an approved permit shall be completed within twelve (12) months following approval of the permit. Permitted work not completed within twelve (12) months, for just reasons, may be officially extended, by the District Engineer, for an additional six (6) months. The State Traffic Safety and Design Administrator must approve a longer extension or additional extensions. If the permitted work is not completed, action will be taken to secure the bond, escrow or letter of credit in order to complete the work or restore the R/W.
8. Once a permit has been canceled or voided, it cannot be reactivated or reinstated for any reason. A new permit must be submitted when the applicant is ready to begin work. This also includes the appropriate number of copies of up-to-date plans and all related documentation needed to review the application. This is necessary because when a permit is canceled, the file is closed out and placed with permits that have been completed. These are then cataloged and sent to the State Records Center for permanent retention.
9. New driveways to new businesses should not be opened for use by the traveling public until the final inspection and release of any bond or escrow by the District Engineer. This is not always possible; therefore, the Area Engineer may make a preliminary determination and allow it to be used if the Permit Inspector is satisfied that the driveway is complete enough

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and will operate safely and efficiently. In order to insure a timely release, the applicant is encouraged to coordinate all phases of work with the Permit Inspector.

10. It is the responsibility of the property owner to provide routine maintenance of the commercial driveway up to the roadway edge of pavement without making improvements to it as governed by the permit process. Maintenance or replacement of the side drain pipe installed by the permittee will be their responsibility.

**2F-2 LIABILITY AND RESPONSIBILITY OF APPLICANT**

Applicants will be required to submit a Hold Harmless Agreement before the permit is approved. A copy of the Hold Harmless Agreement is provided in Appendix D.

The applicant is responsible for the relocation, adjustment or removal of all utility conflicts within the development area at no cost to the Department or the State. The Department encourages the applicant to contact the Utilities Protection Center (UPC) for “Design locate requests” which aids in the location of existing utility facilities for pre-design, advance planning purposes, of bidding. Excavators shall contact the UPC in accordance with the Official Code of Georgia Annotated 25.9, before commencing excavation activities.

The applicant must move, relocate or remove any installation or construction placed on DOT R/W without cost to the Department or the State when instructed in writing to do so by the Department. If necessary, the applicant's performance bond, escrow, or letter of credit will be used to accomplish this.

When determined necessary by the Department, the applicant must exhibit satisfactory evidence of adequate liability insurance to cover all aspects of the work specified under the permit for protection of the traveling public. Limits of such coverage shall be determined separately for each applicant and declared by the Department at its discretion.

**2F-3 OWNERSHIP OF COMPLETED WORK**

A median crossover constructed under a Special Encroachment or Commercial Driveway Permit becomes a feature of the highway and the unconditional property of the Department. The permit applicant or property owner(s) and/or lessees adjacent to the R/W at the crossover site retain no ownership or legal interest therein. The Department reserves the right and all authority to close, relocate or remove a crossover when such action is deemed necessary in the interest of public safety or efficiency of the roadway.